

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RIDING FILMS, INC.,

Plaintiff,

vs.

Civil Action 2:13-cv-46
Judge Marbley
Magistrate Judge King

JOHN DOES 129-193,

Defendants.

ORDER

On February 10, 2015, the plaintiff and counterclaimants Denham and Wintle were ordered to report on the status of their claims/counterclaims. *Order*, ECF 80. These parties were advised that their failure to report would be construed as an abandonment of any claims asserted by them and would be likely to result in the dismissal of such claims. *Id.* Counterclaimants Denham and Wintle failed to file the required report and, on March 6, 2015, the United States Magistrate Judge recommended that the counterclaims asserted by them be dismissed for failure to prosecute. *Order and Report and Recommendation*, ECF 84. Although the parties were advised of their right to object to that recommendation, and of the consequences of their failure to do so, there has been no objection.

The March 6, 2015 recommendation of the Magistrate Judge, *Order and Report and Recommendation*, ECF 84, is **ADOPTED AND AFFIRMED**. The counterclaims asserted by counterclaimants Denham and Wintle are **DISMISSED for failure to prosecute**.

If plaintiff intends to pursue its claims against defendant Glasco,¹ it must file an appropriate motion within seven (7) days of the date of this *Order*. Its failure to do so will result in the dismissal of this, the final remaining claim, for failure to prosecute. **There will be no further extension of this date.**

s/Algenon L. Marbley

Algenon L. Marbley
United States District Judge

¹Plaintiff sought and was granted until March 20, 2015 to file a motion for summary judgment against defendant Glasco, *Order and Report and Recommendation*, ECF 84, but has not filed a motion for summary judgment.